

REMARKS

Claims 1-7, 26-35 and 37-39 are currently pending in the subject application, and are presently under consideration. Claims 1-7, 26-35 and 37-39 are rejected. Favorable reconsideration of the application is requested in view of the comments herein.

I. Rejection of Claims 1-3, 5, 26-29, 32 and 33 Under 35 U.S.C. §103(a)

Claims 1-3, 5, 26-29, 32 and 33 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,148,261 to Obradovich, et al. ("Obradovich") in view of U.S. Publication No. 2003/0066672 to Watchko, et al. ("Watchko"). Withdrawal of this rejection is respectfully requested for at least the following reasons.

Applicants have pointed out that Obradovich, even read to include the spray on metallic coating of Watchko, does not provide "a Faraday cage that encloses the L-band transceiver and the global positioning system module ...that is mounted to a back of the processing unit" as recited in claim 1. In response, the Examiner has stated that Watchko teaches generally the separation of noisy components from other components and that the claimed configuration is safely within the ordinary creativity of one of ordinary skill in the art. It is respectfully submitted, however, that there is no teaching or suggestion in Watchko or Obradovich of mounting the communications components on the back of the processing unit as a separate module as recited in claim 1. This modular approach, as noted in the specification in paragraph 0025, allows for the efficient replacement of obsolete or damaged components, an advantage not realized in the configurations taught in Watchko or Obradovich. Since the Office Action provides no reasoning why one of skill in the art would be lead to the claimed configuration and its attendant advantages absent the teachings of the subject application other than a mere recitation that the claimed system is within the creativity of one of skill in the art, it is respectfully submitted that the current rejection is the product of impermissible hindsight reasoning. It is thus respectfully submitted that the rejection of claim 1 is improper.

Further, if the Obradovich system provides a teaching or suggestion of direct satellite communication, as argued in the Office Action, it is respectfully submitted that a combination of

Obradovich and Watchko in the manner claimed would not be reasonably expected to achieve its intended purpose, and thus would not be obvious to one of skill in the art. In producing a signal powerful enough for accurate reception at a satellite relay, as recited in the claim, an L-band transmitter produces a considerable amount of heat, much more than would be expected in a shorter range (*e.g.*, cellular phone) transmitter. One of skill in the art would not seek to redirect the heat from such a transmitter with the spray taught in Watchko, as it would be readily apparent to one of skill in the art that the thin conductive layer provided by the spray would be unlikely to provide sufficient redirection of the heat to protect the heat sensitive processing components within a tablet computer. The Office Action advances no reason why one of skill in the art would have any expectation of success, given the significant differences between the relatively low power cellular transmitters that are the focus of Watchko and the L-band transmitter communicating with a satellite relay that is recited in claim 1. It is thus respectfully submitted that the proposed combination of Obradovich and Watchko is improper.

Claim 29 contains at least the subject matter described above with respect to claim 1, and is allowable for at least the same reasons. Claims 2, 3, 5, 26-28, 32, and 33 each depend, directly or indirectly, from either claim 1 or 29, and are allowable for at least the reasons provided for their respective base claims. Accordingly, for the reasons described above, claims 1-3, 5, 26-29, 32 and 33 are patentable over the cited art, and withdrawal of this rejection is respectfully requested.

II. Rejection of Claim 4 Under 35 U.S.C. §103(a)

Claim 4 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Obradovich, in view of Watchko as applied to claim 1, and further in view of "*Xilinx*" by Bielby ("Bielby"). Claim 4 depends from claim 1, and is allowable for at least the same reasons. Bielby does not remedy the deficiencies of Obradovich in view of Watchko as described above. Claim 4 is thus patentable over the cited art, and withdrawal of this rejection is respectfully requested.

III. Rejection of Claims 6, 30, 34 and 36-39 Under 35 U.S.C. §103(a)

Claims 6, 30, 34 and 36-39 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Obradovich, in view of Watchko as applied to claim 1, and further in view of U.S. Patent No. 6,542,117 to Broughton ("Broughton"), and in further view of U.S. Publication No. 2002/0173909 to Verbil ("Verbil"). Withdrawal of this rejection is respectfully requested for at least the following reasons.

The rejection of each of claims 6, 30, 34, and 36-39 depends on the proposed combination of Obradovich and Watchko, which, as described above is improper, as one of skill in the art would not have a reasonable likelihood of success in utilizing the thin conductive coating of Watchko to redirect heat from an L-band transceiver producing a signal of sufficient strength to be received in a comprehensible fashion at a satellite relay as recited in the claims. Since the combination of Obradovich and Watchko was improper, it is respectfully submitted that the rejection of claims 6, 30, 34, and 37-39 based on this combination was improper. Accordingly, withdrawal of this rejection is respectfully requested.

The Examiner's taking of Official Notice that it is unnecessary to provide signals to a GPS during a sleep state is respectfully traversed. As is known in the art generally and discussed, at least obliquely, in the Verbil reference (§0003), to be useful without a lengthy processing delay, a GPS must receive regular updates of satellite positioning data, referred to as ephemeris data. Accordingly, it is frequently highly desirable, if not necessary, to provide signals to an inactive GPS device. It is thus respectfully submitted that the Examiner's taking of Official Notice that it is "basic common sense" to provide no received signals to a GPS in a sleep state is improper. Further, as pointed out previously, claim 36 was cancelled in the Amendment dated April 14, 2008. Applicants thus respectfully submit that the Examiner's argument about GPS sleep states is moot, as none of the remaining claims are drawn to the behavior of the claimed system during a GPS sleep state.

IV. Rejection of Claims 7, 31 and 35 Under 35 U.S.C. §103(a)

Claims 7, 31 and 35 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Obradovich, in view of Watchko, as applied to claim 1, and further in view of Broughton, and in further view of U.S. Publication No. 2003/00302426 to Gilbert, et al. ("Gilbert"), as applied to claim 6, and further in view of U.S. Patent No. 6,285,341 to Roscoe, et al. ("Roscoe").

Withdrawal of this rejection is respectfully requested for at least the following reasons.

The rejection of each of claims 7, 31, and 35 depends on the proposed combination of Obradovich and Watchko, which, as described above is improper, as one of skill in the art would not have a reasonable likelihood of success in utilizing the thin conductive coating of Watchko to redirect heat from an L-band transceiver producing a signal of sufficient strength to be received in a comprehensible fashion at a satellite relay as recited in the claims. Since the combination of Obradovich and Watchko was improper, it is respectfully submitted that the rejection of claims 7, 31, and 35 based on this combination was improper. Accordingly, withdrawal of this rejection is respectfully requested.

CONCLUSION

In view of the foregoing remarks, Applicant respectfully submits that the present application is in condition for allowance. Applicant respectfully requests reconsideration of this application and that the application be passed to issue.

Please charge any deficiency or credit any overpayment in the fees for this amendment to our Deposit Account No. 20-0090.

Respectfully submitted,

Date 27 October 2008

/Christopher P. Harris/

Christopher P. Harris
Registration No. 43,660

CUSTOMER No.: 26,294

Tarolli, Sundheim, Covell, & Tummino LLP
1300 East Ninth Street, Suite 1700
Cleveland, Ohio 44114
Phone: (216) 621-2234
Fax: (216) 621-4072